

REMARKS/ARGUMENTS

STATUS OF CLAIMS

In response to the Office Action dated February 27, 2007, claims 2, 6, 7, 9, 13 and 14 have been amended, and claims 1, 4, 5, 8, 11 and 12 have been canceled. Claims 2, 3, 6, 7, 9, 10, 13 and 14 are now pending in this application. No new matter has been added.

DEFECTIVE DECLARATION

The Examiner notes that the declaration is defective for failing to identify the citizenship of the inventor Tetsuya Sawano.

A new declaration is submitted herewith which provides the citizenship of the inventor Tetsuya Sawano.

REJECTION OF CLAIMS UNDER 35 U.S.C. § 103

I. Claims 1, 4, 5, 8, 11 and 12 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ratcliff, III (US 2002/0198769).

The rejection is moot as to canceled claims 1, 4, 5, 8, 11 and 12.

II. Claims 2, 3, 6, 7, 9, 10, 13 and 14 have been rejected under 35 U.S.C. § 103(a) as being unpatentable over Ratcliff, III (US 2002/0198769) and Barritt et al. (US 2002/0124065).

The rejections are respectfully traversed.

The Examiner admits that Ratcliff, III does not disclose correlating a mobile terminal device with the compute owner information (see page 6 of the Office Action). However, the

Examiner alleges that Barritt et al. teaches this feature. In Barritt et al., mobile devices 200 communicate with the central web application server 100 (see [0056]). The web application server 100 has access to a subscriber database 150 which comprises information about the hardware and software capabilities, configuration and user data relating to the individual subscriber mobile devices shown generally as 200 ([0059]).

However, independent claims 2 and 9 require the database to store “first identification information to identify a computer”, “second identification information to identify a mobile terminal device owned by an owner of the computer” (the first and second identification information being stored in correspondence with each other), and “third identification information to identify a mobile terminal device which sends image data”. Neither Barritt et al. nor Ratcliff, III discloses or suggests storing such first, second and third identification information in a database. Consequently, independent claims 2 and 9, as well as dependent claims 3-7 and 10-14, are patentable over Ratcliff, III and Barritt et al., considered alone or in combination.

At any rate, to expedite prosecution, independent claim 2 has been amended to recite:

An image processing server, which provides a service to execute processing of image data received from a mobile terminal device, comprising:

a plurality of computers connected to the image processing server through a network;

a database storing (i) first identification information identifying each computer that is connected to the image processing server through the network, (ii) second identification information identifying mobile terminal devices that are owned by owners of the computers that are connected to the image processing server through the network, and (iii) third identification information identifying any mobile terminal device which sends image data, said first and second identification information being stored in correspondence with each other;

identifying means for identifying one of the plurality of computers connected to the image processing server through the network as a computer

owned by an owner of a mobile terminal device *that has sent image data using the first, second and third identification information stored in the database*; and image processing instructing means for providing the computer identified by the identifying means with an instruction to execute the processing of *the image data received from the mobile terminal device*.

Independent claim 9 has been similarly amended.

For the reasons set forth above, neither Barritt et al. nor Ratcliff, III discloses or suggests the features recited in amended independent claims 2 and 9. In particular, Applicant believes that neither Ratcliff, III nor Barritt et al. disclose or suggest the feature “identifying one of the plurality of computers connected to the image processing server through the network as a computer owned by an owner of a mobile terminal device”, as now recited in amended independent claims 1 and 9.

While the Examiner alleges that Ratcliff et al. discloses an identifying processor for identifying a computer owned by an owner of a terminal device (see page 5, item 8 of the Office Action), Applicant disagrees. Ratcliff et al. merely discloses that the originating server 210 distributes the algorithm portions and/or data to one or more of the processors 105-130 over the data network ([0022]). That is, in Ratcliff et al., what distributes (sends) data is not a (mobile) terminal device, but the originating server 210.

Finally, Applicant notes that the Examiner fails to specifically point out which member of Ratcliff III corresponds to a (mobile) terminal device recited in the claims.

In view of the above, the allowance of claims 2-7 and 9-14, as amended, is respectfully solicited.

CONCLUSION

In view of the above amendment, applicant believes the pending application is in condition for allowance.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Edward J. Wise (Reg. No. 34,523) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37.C.F.R. §§1.16 or 1.14; particularly, extension of time fees.

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Respectfully submitted,

By 

Marc S. Weiner

Registration No.: 32,181

BIRCH, STEWART, KOLASCH & BIRCH, LLP

8110 Gatehouse Road

Suite 100 East

P.O. Box 747

Falls Church, Virginia 22040-0747

(703) 205-8000

Attorney for Applicant